

**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE
UNITED STATES**

PUBLIC SERVICES COMMISSION

IN RE:)	Docket No. 661
)	Order No. <u>44</u>/2017
APPLICATION OF VIRGIN ISLANDS WASTE)	
MANAGEMENT AUTHORITY FOR SEPTAGE)	
WASTE DISPOSAL FEES)	
_____)	

ORDER

WHEREAS, on June 22, 2016, the Virgin Islands Waste Management Authority’s (hereinafter “Authority” or “VIWMA”) submitted an Application for Septage Waste Disposal Fees to the Virgin Islands Public Services Commission (“hereinafter “PSC” or “Commission”); and

WHEREAS, VIWMA’s Application seeks approval of fees to be levied against septage received at VIWMA treatment plants from private sector companies removing and transporting wastewater from septic systems, portable toilets, and other privately owned wastewater treatment plant systems (e.g. treatment plants, sewer lines, pump stations, etc.); and

WHEREAS, on August 23, 2016, the Commission held a Special Meeting and voted to appoint its staff to conduct and preside over the proceedings for Docket 661, the Authority’s Application for Septage Waste Disposal Fees; and

WHEREAS, Sandra Setorie, Assistant Executive Director of the PSC, was identified as the Hearing Officer to preside over the proceedings for Docket 661; and

WHEREAS, Public Hearings were conducted on September 19, 2016, in both offices of the PSC on St. Thomas and St. Croix, United States Virgin Islands and on September 20, 2016, at the Cleone H. Creque Legislative Conference Room in Cruz Bay, St. John, United States Virgin Islands; and

WHEREAS, on March 14, 2017, the Commission received the Hearing Officer’s written Report and Recommendations; and

WHEREAS, on March 21, 2017, the Commission held a regular meeting in both its offices on St. Thomas and St. Croix, United States Virgin Islands; and

WHEREAS, the Commission heard testimony from its staff and testifier, Mr. John Beagles; and

WHEREAS, after review and deliberation the Commission voted to accept the Hearing Officer's Report and Recommendations and approve VIWMA's Application for Septage Waste Disposal Fees with the following recommendations:

1. The Commission grant the request in the Application and approve the Authority's request to enact fees on permitted septage waste haulers/companies who transport and deliver to its wastewater treatment plants; its proposed fee rate schedule; and, the methodologies submitted for its assessment, collection, and enforcement of the proposed fees; on the condition that:
 - a. Septage waste disposal fee shall be determined by a concentration threshold of 1,000 mg/L of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) per thousand gallons of wastewater. A Normal-Strength Septage Waste Disposal Fee of \$75.58 shall be applied to loads of wastewater strength greater than 1,000 mg/L of BOD and TSS. Whereas a Low-Strength Septage Disposal Fee of \$13.34 shall be applied to loads of wastewater strength below 1,000 mg/L of BOD and TSS.
 - b. The Authority immediately implement
 - i. A sampling program to obtain accurate data and tracking of average BOD and TSS ranges of septage received from private waste haulers at its WWTPs;
 - ii. A public information and education campaign;
 - iii. Proper and sustained utilization of enforcement procedures;
 - iv. Training for permitted private septage haulers.

NOW THEREFORE, the Commission hereby

1. **ACCEPTS** the Report and Recommendations of its Hearing Officer, Sandra Setorie in Docket 661; and
2. **APPROVES** the Virgin Islands Waste Management Authority's Application seeking approval of Septage Waste Disposal Fees as follows:
 - a. A Normal-Strength Septage Waste Disposal Fee of \$75.58 shall be applied to loads of wastewater strength greater than 1,000 mg/L of BOD and TSS.
 - b. A Low-Strength Septage Disposal Fee of \$13.34 shall be applied to loads of wastewater strength below 1,000 mg/L of BOD and TSS; and
3. The Authority immediately implement:
 - a) A sampling program to obtain accurate data and tracking of average BOD and TSS ranges of septage received from private waste haulers at its WWTPs;
 - b) A public information and education campaign;

- c) Proper and sustained utilization of enforcement procedures;
- d) Training for permitted private septage haulers

So Ordered.

For the Commission



Date: **July 19, 2017**

Nunc Pro Tunc: **March 21, 2017**

Andrew Rutnik, Chair